



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 26, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Request From Councilmembers Frank Hotchkiss And Randy Rowse Regarding City Enforcement Of Existing State Laws And Municipal Ordinances (Transient Related Street Crimes)

RECOMMENDATION:

That Council hold a discussion to examine the effectiveness of City enforcement of existing State laws and the City's municipal ordinances concerning transient related street crimes.

DISCUSSION:

Councilmembers Hotchkiss and Rowse have requested that the City Council examine the effectiveness of City enforcement of existing State laws and the City's municipal ordinances, with the objective of providing the Police Department and other agencies with a clear direction as to the level of desired enforcement of state Penal Code and Municipal Code regulations related to transient street crimes.

The attached memo from Councilmembers Hotchkiss and Rowse lists the laws that they are requesting Council examine.

ATTACHMENT: Memo From Councilmembers Hotchkiss and Rowse

PREPARED BY: Linda Gunther, Administrator's Office Supervisor

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office



City of Santa Barbara
Mayor and Council Office

Memorandum

Attachment
RECEIVED

MAR 15 2011

CITY ADMINISTRATOR'S OFFICE
SANTA BARBARA

DATE: March 15, 2011

TO: James L. Armstrong, City Administrator

FROM: Frank Hotchkiss, Councilmember
Randy Rowse, Councilmember

Handwritten signatures of Frank Hotchkiss and Randy Rowse in blue ink.

SUBJECT: City Enforcement of Existing State Laws and Municipal Ordinances

Pursuant to Council Resolution 05-073 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding City enforcement of existing State laws and Municipal Ordinances.

- Summary of information to be presented:

We are requesting the City Council to examine the effectiveness of City enforcement of existing State laws and the City's municipal ordinances, with the objective of providing the Police Department and other agencies with a clear direction as to the level of desired enforcement. The existing State laws and/or municipal ordinances are listed below with the reference to the State Penal Code and/or the City's Municipal Code.

Law	State Penal Code	City's Municipal Code
Panhandling	647 (c)	9.50
Trespassing on Private Property	602	
Open Container of alcohol in public		9.05
Intentionally obstructing the sidewalk	647 (c)	9.98
Illegal Peddling or selling on public property		5.32.035 & 9.48.010
Drunk in public	647 (f)	
Disturbing the peace with excessive noise or by fighting	415	
City Park closure regulations		15.16.260
City building/facility closure regulations		9.60.010
Sitting on first 13 blocks of State Street		9.97

- Statement of Specific Action:

The specific action to be taken by the City Council at this meeting will be to explore the possibility of providing the Police Department with more clear direction as to the level of enforcement the Council expects.

- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action:

A Council discussion of this subject is appropriate and within the jurisdiction of the City Council due to the issues of enforcement of the City's laws on panhandling, etc.

cc: Mayor and Council
City Attorney
Police Chief